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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXII] Trivandrum, Thursday, 25th August 1977 / 3rd Bhadra 1899 [No. 496

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATIONS

G.O.MS. No. 241/77/LA & SWD. *Dated, Trivandrum, 25th August* 1977.

I

S. R. O. No. 773/77.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 3 of the Kerala Panchayats Act, 1960 (32 of 1960), the Government of Kerala on the request of the Manampore Panchayat contained in its resolution No. 18 dated 16-7-1976, for the bifurcation of the said Panchayat area into Manampore and Ottoor Panchayat areas, hereby cancel the declaration of the said Panchayat area made in Notification No. G. O. MS. 191/61/DD dated 28-12-1961 and published in the Kerala Gazette Extraordinary No. 154 dated 30-12-1961 with effect from 25-8-1977.

II

S. R. O. No. 774/77.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 of the Kerala Panchayats Act, 1960 (32 of 1960) the Government of Kerala hereby declare the areas specified in column (2) of the schedule below situated in the taluk specified in the corresponding entry in column (1) thereof to be Panchayat areas for the purpose of the said Act and that the respective Panchayats and Headquarters shall be known by the names specified in the corresponding entries in columns (3) and (4) thereof respectively with effect from 25-8-1977.

SCHEDULE

Taluk	*Area*	*Name of Panchayat*	*Headquarters*
(1)	(2)	(3)	(4)
Chirayinkil	Manampore Village having Chencherikonam Elanjimanakonam and Kannamkara excluding a portion in the Attingal Municipality	Manampore	Kavalayoor
Chirayinkil	Ottoor Village having Mullaramcode, Thirunarayanapuram and Ottoorkaras	Ottoor	Ottoor

III

S. R. O. No. 775/77.—Whereas the Government in Notification S. R. O. No. 774/77 dated 25-8-1977 have declared the Manampore and Ottoor Panchayat areas, as specified in the Schedule thereto under clause (a) of sub-section (1) of section 3 of the Kerala Panchayats Act, 1960 (32 of 1960);

And whereas Government are satisfied that the said Panchayats cannot now be constituted by reason of difficulty in holding election of the members thereof for the said Panchayat areas;

Now therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 13 of the said Act, the Government of Kerala hereby appoint an Administrative Committee and a President thereof with the persons specified in column (3) of the schedule below for each of the Panchayats specified in the corresponding entries in column (2) and situated in the Taluk mentioned in the corresponding entries in column (1) thereof with effect from the 25th day of August 1977 and specify that the Administrative Committees and the Presidents shall hold office till 31-12-1977.

SCHEDULE

Taluk	*Name of Panchayat*	*Name and address of the members*	*Designation*
(1)	(2)	(3)	(4)
Chirayinkil	Manampore	1. Sri M. Habeeb Mohammed, Babu Vilasom, Kulamuttom P.O.	President
		2. Sri K. Vasudevaru, Kallikkattu Veedu Manampore P.O.	Vice-President
		3. Sri K. Viswanathan, Jayaprakash Mandiram, Manampore P.O.	Member

(1)	(2)		(3)	(4)
Chirayinkil	Manampore	4.	Sri M. Shahul Hameed, Vilayil Veedu, Kavalayoor P.O.	Member
		5.	Sri A. Raman, Madavilakom, Manampore, Thottakadu P.O.	"
		6.	Smt. R. Sarada, Thekkevila, Kavalayoor P. O.	"
		7.	Sri G. Sadananda Kurup, Saraswathy Mandiram, Chathanpara, Thottakkad Post, (via) Kallambalam	"
		8.	Sri S. Abdussalam, Laila Buildings, Kulamuttom P. O., Mungode	"
Chirayinkil	Ottoor	1.	Sri G. Chellappan Pillai, Bindu Bhavan, Mullaramcode, Manampore	President
		2.	Sri S. Gopalan, Chanthavilakom, Perettil, Moongode P.O.	Vice-President
		3.	Sri R. Raghavan, Ramanivilasom, Perettil, Moongode P.O.	Member
		4.	Sri R. Viswambharan, Krishna Mandiram, Vadasserikonam.	"
		5.	Sri A. Achyudhan, Thoppuvila, Manampore Post, (via) Kallambalam	"
		6.	Sri A. Shamshudeen, A.S.S. Manzil, P. O. Kallambalam.	"

By order of the Governor,
N. Gopalakrishnan Nair,
Special Secretary.

Explanatory Note

(This note does not form part of the notification but is intended to indicate its general purport).

The Manampore Panchayat in its resolution No. 18 dated 16-7-1976 has requested for the bifurcation of the existing Panchayat and for the formation of a new Panchayat of 'Ottoor' carving out the portions of the existing Manampore Panchayat. Government agree to the proposal and since it is not possible now to conduct election to the said Panchayats, Government consider it necessary to constitute Administrative Committees to the newly formed Manampore and Ottoor Panchayats. This Notification is intended to achieve the above objects.

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GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATIONS

G. O. MS. No. 243/77/LA & SWD. *Dated, Trivandrum, 25th August 1977.*

I

S. R. O. No. 777/77.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 3 of the Kerala Panchayats Act, 1960 (32 of 1960) the Government of Kerala after having given the Pulpally Panchayat a reasonable opportunity for showing cause against the proposal for excluding certain areas from the said Panchayat for the purpose of forming a separate Panchayat by the name Mullankolly Panchayat and after having considered the opinion of the Pulpally Panchayat as required by the proviso to the said section, hereby cancel the declaration of the Pulpally Panchayat made in notification No. G. O. MS. 161/61 (2)/DD dated 20-11-1961 and G. O. MS. 56/73/LA & SWD dated 2-2-1973 with effect from 25-8-1977.

II

S. R. O. No. 778/77.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 of the Kerala Panchayats Act, 1960 (32 of 1960) the Government of Kerala hereby declare the areas specified in column (2) of the schedule below situated in the Taluk specified in the corresponding entry in column (1) thereof to be Panchayat areas for the purpose of the said Act and that the respective Panchayats and headquarters shall be known by the names specified in the corresponding entries in columns (3) and (4) thereof respectively with effect from 25-8-1977.

SCHEDULE

Taluk	*Area*	*Name of Panchayat*	*Name of Head quarters*
(1)	(2)	(3)	(4)
South Wynad	Ward No. I (Pakkom) of Pulpally Village, Pakkom Desom and Ward No. VII (Karumom) Ward No. IX (Chettappalam) Ward No. X (Kalluvayal) of Pulpally Village, Pulpally Desom. Ward No. XI (Veliambom) Veliambom Desom of Poothadi Village. Portion of Ward No. II (Chekadi) (excluding house Nos. 189/II to 221/II) of Pakkom Desom of Pulpally Village and portions of Ward No. VIII (Sasimala) (excluding House Nos. 58/VIII to 982/VIII) of Pulpally Desom of Pulpally Village of the existing Pulpally Panchayat.	Pulpally	Pulpally
South Wynad	Ward No. III (Padiri) of Pakkom Desom of Pulpally Village and Ward No. IV (Perikkallur), V (Padichira), VI(Mullankolly) of Pulpally Desom of Pulpally Village and portions of ward No. II (Chekkadi) excluding house Nos. 1/II to 188/II) of Pakkom Desom of Pulpally Village and portions of ward No. VIII (Sasimala) (excluding House Nos. 1/VIII to 57/VIII) of Pulpally Desom of Pulpally Village of the existing Pulpally Panchayat.	Mullankolly	Mullankolly

III

S. R. O. No. 779/77.—Whereas the Government in Notification S. R. O. 778/77 dated 25-8-1977 have declared the Pulpally and Mullankolly Panchayat areas under clause (a) of sub-section (1) of section 3 of the Kerala Panchayats Act, 1960 (Act 32 of 1960);

And whereas Government are satisfied that the Panchayat cannot now be constituted by reason of difficulty in holding election of the members thereof for the said Panchayat areas;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 13 of the said Act, the Government of Kerala hereby appoint an Administrative Committee and a President thereof with the persons specified in column (3) of the Schedule below for each of the Panchayat specified in the corresponding entries in column (2) thereof with effect from the 25th day of August 1977 and specify that the Administrative Committee and its President shall hold office till 31-12-1977.

SCHEDULE

Taluk	*Name of Panchayat*		*Name and address*	*Designation*
(1)	(2)		(3)	(4)
South Wynad	Pulpally	1.	Sri K. U. Mathai, S/o Ulahannan, Karumpadakuzhiyil, Pulpally	President
		2.	Sri V. P. Varghese, S/o Paily, Vettuvalil, Pakkom, Pulpally	Vice-President
		3.	Sri N. J. Chacko, S/o Joseph, Nediyaparambil, Pulpally	Member
		4.	Sri V. N. Lakshmanan, S/o Narayanan, Varissery House, Pulpally	Member
		5.	Smt. Annamma Paulose, Oalickal, Pulpally	Woman Member
		6.	Sri Thirumukathu Andi, S/o Thodan, Pulpally	Scheduled Tribe Member
		7.	Sri Joseph Palamattathil, S/o Kurian, P. O. Pulpally	Member
		8.	Sri T. A. Mohammed Rawther, S/o Abdul Rahiman, Thottakathu, Pulpally	Member
South Wynad	Mullankolly	1.	Sri K. C. Joseph, S/o Chacko, Kaduppil House, Mullankolly	President
		2.	Sri T. M. Antony, S/o Mathew, Thamarasseril House, Chettapalam	Vice-President
		3.	Sri A. K. Khadar, S/o Mammi, Achikkalathu.	Member

(1)	(2)	(3)	(4)
		4. Sri Pokkan, S/o Polayan, Iruppottil, Mullankolly	Scheduled Tribe Member
		5. Sri T. A. Thomas, Theekinattu, Mullankolly	Member
		6. Sri K. K. George, S/o Kurian, Kudakaparambil House, Mullankolly	Member
		7. Smt. P. Annakutty Abraham, Pulikkal, Padichira	Woman Member
		8. Sri K. J. Baby, S/o Avira, Kaduppil House, Padichira.	Member

By order of the Governor,
N. Gopalakrishnan Nair,
Special Secretary.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Pulpally Panchayat in its resolution No. 4 dated 8-1-1974 has requested for the bifurcation of the existing Pulpally Panchayat. Government after considering the proposal have accepted the proposal to form a new Panchayat by name "Mullankolly Panchayat" and called for objection and suggestion from the Panchayat as per notice No. 36075/C4/75/LA & SWD dated 5-8-1976. Since it is not possible now to conduct election to the said Panchayats, Government consider it necessary to constitute Administrative Committees to the newly formed Pulpally and Mullankolly Panchayats. The notifications are intended to achieve the above objects.

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GOVERNMENT OF KERALA

Law (Legislation-B) Department

NOTIFICATION

No. 13904/Leg. (B1)./77/Law. *Dated, Trivandrum, 25th August 1977/ 3rd Bhadra, 1899.*

The following ordinance promulgated by the Governor on the 25th day of August, 1977, is hereby published for general information.

By order of the Governor,

K. VISWANATHAN NAIR,
Additional Law Secretary.

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33/3086/MC.

ORDINANCE No. 14 OF 1977

THE KERALA PRIVATE FORESTS (VESTING AND ASSIGNMENT) AMENDMENT ORDINANCE, 1977

Promulgated by the Governor of Kerala in the Twenty-eighth Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Private Forests (Vesting and Assignment) Act, 1971

Preamble.—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Private Forests (Vesting and Assignment) Amendment Ordinance, 1977.

(2) It shall come into force at once.

2. *Act* 26 *of* 1971 *to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Private Forests (Vesting and Assignment) Act, 1971 (26 of 1971) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 to 6.

3. *Amendment of section* 7.—In section 7 of the principal Act,—

(a) in sub-section (4), the words "but subject thereto, the decision of the Tribunal on any matter within its jurisdiction shall be final and conclusive" shall be, and shall be deemed always to have been, omitted;

(b) after sub-section (4), the following sub-section shall be, and shall be deemed always to have been, inserted, namely:—

"(4A) Subject to the provisions of sub-section (4) and section 8A, the decision of the Tribunal on any matter within its jurisdiction shall be final and conclusive.",

4. *Amendment of section* 8.—In section 8 of the principal Act, for sub-section (3), the following sub-section shall be, and shall be deemed always to have been, substituted, namely:—

"(3) If the Tribunal decides that any land is not a private forest or that a private forest or portion thereof has not vested in the Government and—

(a) no appeal has been preferred under section 8A of this Act or under section 7 of the Kerala Private Forests (Vesting and Assignment) Amendment Ordinance, 1977, against the decision of the Tribunal within the period specified therefor; or

(b) such appeal having been preferred has been dismissed by the High Court,

the custodian shall, as soon as may be after the expiry of the period referred to in clause (a) or, as the case may be, after the date of the order of the High Court dismissing the appeal, restore possession of such land or private forest or portion, as the case may be, to the person in possession thereof immediately before the appointed day.".

5. *Insertion of new section 8A*.—After section 8 of the principal Act, the following section shall be, and shall be deemed always to have been, inserted, namely:—

"8A. *Appeal to the High Court*.—(1) The Government or any person objecting to any decision of the Tribunal may, within a period of sixty days from the date of that decision, appeal against such decision to the High Court

Provided that the High Court may admit an appeal preferred after the expiration of the period of sixty days aforesaid if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period.

(2) The appeal shall be in the prescribed form and shall be verified in the prescribed manner and shall be accompanied by a fee of one hundred rupees.

(3) On receipt of an appeal under sub-section (1), the High Court may, after giving the parties a reasonable opportunity of being heard, either in person or by a representative,—

(a) confirm or cancel the decision of the Tribunal appealed against; or

(b) set aside such decision and remand the case to the Tribunal for decision after such further inquiry as may be directed; or

(c) pass such other orders as it may think fit.

(4) If the High Court decides that any land is not a private forest or that a private forest or portion thereof has not vested in the Government, the custodian shall, as soon as may be, restore possession of such land or private forest or portion, as the case may be, to the person in possession thereof immediately before the appointed day.

(5) Every order passed in appeal under this section shall be final."

6. *Amendment of section* 13.—In section 13 of the principal Act, the words "Except as otherwise provided in this Act" shall be, and shall be deemed always to have been, inserted at the beginning.

7. *Transitory provisions.*—Notwithstanding anything contained in any law, or in any judgment, decree or order of any court, the Government or any person objecting to any decision of the Tribunal constituted under section 7 of the principal Act, made at any time before the commencement of this Ordinance may, within a period of sixty days from such commencement, appeal to the High Court against such decision, and the provisions of sub-sections (2) to (5) (both inclusive) of section 8A of the principal Act as amended by this Ordinance shall apply in respect of such appeal.

N. N. WANCHOO,

GOVERNOR

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GOVERNMENT OF KERALA

Law (Legislation-B) Department

NOTIFICATION

No. 10720/Leg. B2/77/Law. *Dated, Trivandrum, 25th August 1977*
3rd Bhadra 1899

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 23rd day of August, 1977.

By order of the Governor,

K. VISWANATHAN NAIR,
Additional Law Secretary.

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33/3087/MC

ACT 21 OF 1977

THE KERALA ELECTRICITY DUTY (AMENDMENT) ACT, 1977

An act further to amend the Kerala Electricity Duty Act, 1963.

Preamble.—WHEREAS it is expedient further to amend the Kerala Electricity Duty Act, 1963, for the purpose hereinafter appearing;

BE it enacted in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Electricity Duty (Amendment) Act, 1977.

2. *Amendment of section 8.*—In section 8 of the Kerala Electricity Duty Act, 1963 (23 of 1963), for the words "twelve per cent", the words "eighteen per cent" shall be substituted.